

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

SONYA ARNOLD,  
Plaintiff,

No. 1:09-cv-1157

-v-

HONORABLE PAUL L. MALONEY

KELLOGG COMPANY,  
Defendant.

ORDER TO STAY

Plaintiff Sonya Arnold moves for a stay of the litigation “pending the appellate process through the pension program.” (ECF No. 16 - Response to Court Request to Show Cause, 1.) In its reply, Defendant Kellogg Company states it is “willing to stipulate to a Stay of the Litigation following a decision on all of the issues in the Motion to Dismiss, except for the ‘failure to exhaust administrative remedies.’” (ECF No. 20 - Reply to Plaintiff’s Brief in Response to Order to Show Cause, 3.)

The court has resolved all the issues raised in Defendant’s Motion to Dismiss, except for the “failure to exhaust administrative remedies.” A portion of Plaintiff’s complaint remains. Accordingly, as agreed upon by the parties, this action is **STAYED**. Within 21 days of completion of the pension appeal, Plaintiff shall move to lift the stay in order for the litigation to proceed. If such motion has not been filed by May 16, 2011, the parties shall file a joint status report which shall include an estimated date of completion of the appeal. **IT IS SO ORDERED.**

Date: December 9, 2010

/s/ Paul L. Maloney  
Paul L. Maloney  
Chief United States District Judge